

Serial No. 10/091,470  
Docket No. F05-138814M/MKO  
NGB.090

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### **Remarks**

As a preliminary matter, Applicant appreciates courtesies extended to Applicant's representative during the telephonic interview on December 15, 2004. During the telephonic interview, the Examiner indicated that after reviewing a proposed Amendment, which Applicant's representative faxed to the Examiner on December 14, 2004, that the proposed Amendment would place the Application in condition for allowance.

An Examiner's Interview Summary Record (PTOL-413) was sent by the Examiner to Applicant's representative on December 20, 2004.

A complete Statement of the Substance of the Interview is provided below.

**A. Identification of claims discussed:**

Claims 1 and 9.

**B. Identification of prior art discussed:**

None.

**C. Identification of principal proposed amendments:**

On December 14, 2004 Applicant's representative faxed a proposed Amendment to the Examiner. The proposed Amendment included proposed amendments to claim 1. Applicant proposed amending claim 1 to recite the allowable subject matter of claim 8. The above listing of claims reflect the proposed Amendment which the Examiner received and reviewed.

**D. Identification of principal arguments:**

Applicants representative pointed out that Applicant appreciates the Examiner's indication that claims 8-13 would be allowable if rewritten in proper independent form. Accordingly, Applicant has amended claim 1 to incorporate the allowable subject matter of claim 8. Specifically, Applicant has amended claim 1 to recite, inter alia, "*wherein the lower impact absorbing member comprises a plurality of beads formed integrally with the under*

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*cover, and wherein each of the beads comprises a locking pawl locked to the cross member".*  
It is Applicants' understanding that the claim is allowable because the cited prior art references do not teach or suggest a plurality of beads formed integrally with the undercover, wherein each of the beads includes a locking pawl locked to the cross member.

**E. Results of the Interview:**

In response to the proposed Amendment sent to the Examiner, the Examiner indicated that the proposed Amendment would place the Application in a condition for allowance. Additionally, the Examiner indicated that claim 9 would need to be amended to provide proper antecedent basis.

Claims 1-25 are all of the claims presently pending in the application. Claims 1-2, 8-9 and 20 have been amended as provided in the proposed Amendment of December 14, 2004 and in accordance with the telephonic interview of December 20, 2004.

Therefore, Applicant submits the cited prior art references do not teach or suggest each and every feature of claim 1 (as amended above). Therefore, Applicant respectfully submits that the enclosed Amendment places the Application in a condition for allowance and respectfully requests the Examiner to withdraw his rejections.

In view of the foregoing, Applicant submits that claims 1-25, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Furthermore, regarding the Information Disclosure Statement filed with the Application on March 7, 2002 and the Information Disclosure Statement filed on November 26, 2002, Applicant respectfully submits that the Examiner has not yet acknowledged these two IDSs. Applicant respectfully submits the Examiner to consider these two IDSs and to initial and return to Applicant the two corresponding forms PTO-1449.

For the Examiner's convenience, attached are additional copies of the PTO-1449 forms.

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Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: December 27, 2004

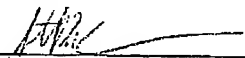
  
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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Amendment by facsimile with the United States Patent and Trademark Office to Examiner Dennis H. Pedder, Group Art Unit 3612 at fax number (703) 872-9306 this 27<sup>th</sup> day of December, 2004.

  
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